

EXHIBIT A

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

WILLIAM PAULING and CHARLES BURTON

Plaintiffs,

– against –

**CITY OF NEW YORK, NEW YORK CITY POLICE
DEPARTMENT, POLICE OFFICER NICHOLAS
NOVAK, POLICE OFFICER DAVON ALSTON,
POLICE OFFICER JOHN DOE AND POLICE
OFFICER JOHN ROE,**

Defendant(s).

**STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE TO FEDERAL
CLAIMS**

INDEX NO.: 24865/2015E

WHEREAS, Plaintiff commenced this proceeding by filing a Summons and Verified Complaint in the Supreme Court of the State of New York, County of Bronx, on or about 9/2/15, alleging that his federal and state rights were violated; and

WHEREAS, defendants have removed this action to the Southern District of New York, 15 Civ. 7814, based upon claims asserted by Plaintiffs that are founded on alleged violations of 42 U.S.C Section 1983 and the United States Constitution's Fourth, Fifth, Sixth and Fourteenth Amendments; and

WHEREAS, Plaintiffs now desires to discontinue all federal claims alleged in this action and to proceed only with state law claims; and

WHEREAS, Plaintiffs will discontinue with prejudice and withdraw all federal claims arising out of the incident in the Complaint; and

WHEREAS, Plaintiffs filed an Amended Verified Complaint on 10/6/15 whereby all federal claims have been withdrawn from the incident within the Complaint; and

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for Plaintiff and defendants as follows:

1. Any and all federal claims asserted by Plaintiffs in the Complaint are hereby withdrawn and discontinued with prejudice.

2. Defendants agree to withdraw the Notice of Removal which was filed in the Southern District of New York, 15 Civ. 7816, and this action shall proceed in Supreme Court, County of the Bronx.

3. Defendants shall interpose an answer with respect to the Amended Verified Complaint within 30 days.

4. This Stipulation shall not be admissible in any other litigation or settlement negotiation.

Dated: Bronx, New York
October 6, 2015

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